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December 9, 2020

Via E-Filing

Honorable Michael A. Hammer, U.S.M.J.
United States District Court
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07102

Re: Steven Prunkel v. County of Bergen, et al.
Case No.: 2:17-cv-05154-ES-MAH

Dear Judge Hammer:

I represent the plaintiff, Steven Prunkel in this matter. Pursuant to Your Honor's order of December 1, 2020, the parties jointly submit this letter as a status report.

Plaintiff's complaint asserted civil rights claims against a number of defendants for violation of state and federal law, including, 42 U.S.C. § 1983, for supervisory liability, abuse of process, malicious prosecution, failure to intervene, conspiracy, excessive bail and due process. Plaintiff's claims arise out of the incidents that brought about his arrest and subsequent incarceration for nearly 12 months at Bergen County Jail on more than 20 felony gun charges. Plaintiff, a resident of Stroudsburg, Pennsylvania, was arrested at his place of employment in Ridgefield Park. Each of the charges was dismissed prior to a trial in Bergen County Superior Court.

The remaining defendants in this case are Trooper Nicholas DeSantis of Pennsylvania State Police, the Village of Ridgefield Park and Detective William E. Morton of Ridgefield Park Police Department. Discovery has concluded and each of these defendants filed motions for summary judgment as to each of the claims, with a return date of January 6, 2020. The motions have been fully briefed by the parties, and the parties are awaiting the outcome of those motions.

At several times during the course of discovery, the parties engaged in settlement conferences with the Court (Hon. Steven Mannion, U.S.M.J.). However, in light of the pending dispositive motions, the parties have not engaged in recent settlement discussions and do not believe they would be fruitful. A trial date has not been set.

Your Honor's consideration is appreciated.

Respectfully submitted,

/s/ David T. Shivas
David T. Shivas

cc: Matthew Skolnik, Esq.
Harry Norton, Esq.